

Patent
Attorney's Docket No. 032264-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Patent Application of |) | |
| Thomas J. Taylor et al. |) | Group Art Unit: 1713 |
| Application No.: 10/038,739 |) | Examiner: Judy M. Reddick |
| Filed: January 2, 2002 |) | Confirmation No.: 3736 |
| For: POLYCARBOXY/POLYOL |) | |
| FIBERGLASS BINDER |) | |
| |) | |
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DECLARATION PURSUANT TO 37 C.F.R. §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Derek C. Bristol declares as follows:

1. That I am a citizen of the United States, and I reside at 7744 Gunsight Pass, Littleton, Colorado 80127.
2. That I have a B.S. degree in Chemistry from Miami University; and an M.S. in Analytical Chemistry from Ohio State University.
3. I have been employed at Johns Manville for the past eight and one-half years as a chemist, and am presently employed as a Senior Research Chemist.

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4. That I am a co-inventor of the claimed subject matter in the above-identified application.

5. That a viscosity range of from 20 cP at 25°C, 40% solids to 100 cP at 25°C, 40% solids is not an inherent feature of a binder system comprising a polycarboxy polymer having a molecular weight of 5000 or less, and a polyol, with the amount of polycarboxy polymer and polyol in the binder being such that the ratio of equivalents of hydroxyl groups to equivalents of carboxy groups is in the range of from 0.8/1 to 0.8/1, and/or with the pH of the binder system being 3.5 or less.

6. The viscosity of a binder composition as described in paragraph 5 can vary greatly outside the range of 20 cP to 100 cP, as the viscosity depends on and can change due to many factors. For example, the type of polycarboxy polymer used, whether a copolymer component is used, whether the polymer is more branched or more linear, and the presence of viscosity modifiers are all important factors in determining the ultimate viscosity. These are all factors which can effect the viscosity of an aqueous binder composition such that it would be outside the range of from 20 cP to 100 cP. Therefore, the viscosity of the binder composition described above would not necessarily be in the range of from 20 cP to 100 cP.

7. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful, false

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statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 11-5-2004


Derek C. Bristol